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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,754	07/17/2000	Klaus-Josef Bengler	951/48944	8674

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EXAMINER

TRAN, TUAN A

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 01/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,754

Applicant(s)

BENGLER, KLAUS-JOSEF

Examiner

Tuan A Tran

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,5,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilkinson et al. (6,122,521) in view of Thomason (6,317,039).

Regarding claims 7 and 9, Wilkinson discloses an arrangement for visual communication between a first party, wherein the first party is adapted to be carried on or by a person or thing, and a second external party (See fig. 1 and Abstract, col. 2 lines 24-25), the arrangement comprising: sensory system 16 for providing signals representing a visual image of the area in the vicinity of the first party (See fig. 1 and col. 3 lines 44-55, col. 5 lines 43-45); extracting means 14 for extracting signals representing a visual image of the area in the vicinity of the first party (See fig. 1 and col. 3 line 66 to col. 4 line 18, col. 5 lines 50-54); and visual communication system 14, 22, 24 for transmitting the visual image of the area in the vicinity of the first party to the second party (See fig. 1 and col. 5 lines 55-60). However, Wilkinson does not mention that the arrangement is capable of transmitting simultaneously both telephone conversation and the visual image to the second party, and further the arrangement is set up in a vehicle. Thomason teaches a wireless video audio data remote system 101

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that allows both telephone conversation (audio data) and visual image (video data) to be transmitted simultaneously to a external party (See figs. 2, 6 and col. 1 lines 57-64, col. 2 lines 22-24, col. 3 line 41 to col. 5 line 30, col. 7 line 64 to col. 8 line 29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Thomason's teaching in modifying an arrangement as disclosed by Wilkinson for the advantage of allowing the external party to monitor as well as to advise/control the first party dependent upon the real-time situation of the first party. Also, it would have been obvious to one of ordinary skill in the art at the time the invention was made to arrange the audio visual system as disclosed by Wilkinson in view of Thomason in a vehicle as intended use in order to extend the application of the system.

Claims 1, 3 and 6 is rejected for the same reasons as set forth in claims 7 and 9, as method.

Regarding claim 2, Wilkinson & Thomason disclose as cited in claim 1.

Wilkinson further discloses means 10 for generating position information signals indicative of the position of the first party (See fig. 1 and col. 3 lines 21-43). However, they fail to mention that the depiction is obtained by a preexisting automobile navigation system. Automobile navigation system, wherein the position of a vehicle on the map of a particular area is generated and displayed, is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to replace the means 10 as disclosed by Wilkinson by the well known automobile navigation system to allow the

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external party to locate the first party on the map of a particular area in order to advise/control the first party effectively.

Claim 8 is rejected for the same reasons as set forth in claim 2, as apparatus.

Regarding claims 4-5, Wilkinson & Thomason disclose as cited in claim 1.

However, they do not mention that the relevant information is updated periodically, wherein periodic update occurs in time increments of several seconds. It would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the system as disclosed by Wilkinson & Thomason to update the relevant information, wherein periodic update occurs in time increments of several seconds in order to provide the external party correct updated information so that the external party can advise/control the first party effectively and further to reduce the workload and save power for the system.

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ohmura et al. (6,125,326) discloses an automobile navigation system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan Tran** whose telephone number is **(703) 605-4255**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Daniel Hunter**, can be reached at **(703) 308-6732**.

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Any response to this action should be mailed to:

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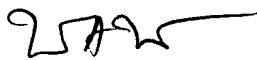
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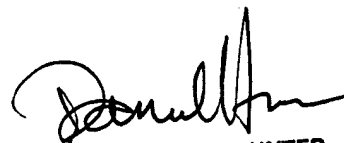
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Tuan Tran

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DANIEL HUNTER
SUPERVISORY PATENT EXAMINER
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